

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHINEDU AKUNNE,
Plaintiff,

v.

CCDC,
Defendant.

Case No.: 2:23-cv-02142-RFB-NJK

ORDER

(Docket No. 4)

On January 9, 2024, this Court ordered Plaintiff to pay the \$405 filing fee or file a complete application to proceed *in forma pauperis* by March 11, 2024. Docket No. 3. Plaintiff has filed an incomplete application to proceed *in forma pauperis*. Docket No. 4. Plaintiff's application to proceed *in forma pauperis* is incomplete because he did not complete or sign the application to proceed *in forma pauperis*, the financial certificate is not completed, and Plaintiff did not include an inmate trust fund account statement for the previous six-month period with the application. *Id.* At the end of Plaintiff's application, he included a handwritten note in which he states, "I will not proceed with fully completing the application for in my view it is unjust." *Id.* at 7. Plaintiff also states, "My records you can view by yourself to clarify my monetary statements."

As the Court previously explained, this case cannot proceed unless Plaintiff either pays the \$405 filing fee or files a complete application to proceed *in forma pauperis*. The Court does not have access to Plaintiff's financial information and Plaintiff must submit the necessary documents. Plaintiff must also sign the documents to certify under penalty of perjury that the information he provided is accurate. The Court will give Plaintiff one final opportunity to file a complete application to proceed *in forma pauperis*.

As the Court previously explained, the United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative

1 fee. *See* 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may
 2 apply to the court for leave to proceed *in forma pauperis*.” LSR 1-1. For an inmate to apply for
 3 *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court:
 4 (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of
 5 the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed
 6 **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by
 7 both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust**
 8 **fund account statement for the previous six-month period**. *See* 28 U.S.C. § 1915(a)(1)–(2);
 9 LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the
 10 filing fee, it just means that the inmate can pay the fee in installments. *See* 28 U.S.C. § 1915(b).

11 Accordingly, for the reasons stated above,

12 IT IS ORDERED that the application to proceed *in forma pauperis*, Docket No. 4, is
 13 **DENIED** without prejudice.

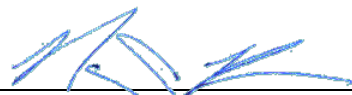
14 IT IS FURTHER ORDERED that, no later than April 15, 2024, Plaintiff must either pay
 15 the full \$405 filing fee or file a fully complete application to proceed *in forma pauperis* with all
 16 three required documents: a completed application with the inmate’s two signatures on page 3; a
 17 completed financial certificate that is signed both by the inmate and the prison or jail official; and
 18 a copy of the inmate’s trust fund account statement for the previous six-month period.

19 IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, this
 20 action will be subject to dismissal without prejudice. A dismissal without prejudice allows
 21 Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a
 22 complete application to proceed *in forma pauperis* or pay the required filing fee.

23 The Clerk of the Court is **INSTRUCTED** to send Plaintiff Chinedu Akunne the approved
 24 form application to proceed *in forma pauperis* for an inmate and instructions for the same.

25 IT IS SO ORDERED.

26 DATED: March 14, 2024.

27
 28 

 NANCY J. KOPPE
 UNITED STATES MAGISTRATE JUDGE